

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/DK2004/000408

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61L27/38 A61L27/54 A61K35/32 C12N5/06 A61B17/32

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61L C12N A61F A61B A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EP0-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2001/051834 A1 (DOMB ABRAHAM J ET AL) 13 December 2001 (2001-12-13) paragraphs [0005] - [0008], [0010] - [0013], [0016] - [0021], [0024] - [0026] ----- -/--	1-40

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

21 September 2004

Date of mailing of the international search report

19 MAR 2005

Name and mailing address of the ISA

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/06949 A (STORGAARD PETER ; INTERFACE BIOTECH AS (DK); OSTHER KURT (US)) 1 February 2001 (2001-02-01) page 1, lines 4-6 page 3, lines 28-30 page 4, lines 14-31 page 5, lines 26-36 page 6, lines 27-34 page 8, lines 29-38 page 9, lines 8-11 page 11, lines 5-8,36-39 page 18, lines 31-36 sentences 1-26; example 4 sentences 32,33; example 5 claims; figures	1-40
A	DE 100 13 223 A (CO DON AG) 11 October 2001 (2001-10-11) paragraphs [0001] - [0004], [0009], [0014], [0018], [0021], [0022]	1-40
A	ROBINSON D ET AL: "Articular cartilage chondrocytes are more advantageous for generating hyaline-like cartilage than mesenchymal cells isolated from microfracture repairs" 2001, CELL AND TISSUE BANKING, XX, XX, PAGE(S) 23-30 , XP002902414 ISSN: 1389-9333 the whole document	1-26,40
A	WO 02/39946 A (SMITH & NEPHEW INC) 23 May 2002 (2002-05-23) page 2, lines 15-25 page 7, lines 1-12 claims	1-40
A	DE 100 54 857 A (BOHMANN ANTON ; KETTEL EDITH (DE)) 16 May 2002 (2002-05-16) the whole document	1-40
A	DE 39 41 023 A (BIOPLASTY INC) 13 June 1990 (1990-06-13) the whole document	1-40
A	DE 195 40 487 A (SCHULTZ OLAF ; BURMESTER GERD R PROF DR MED (DE); SITTINGER MICHAEL DR) 24 April 1997 (1997-04-24) column 1, lines 17-26 column 2, lines 18-33 claims; examples 1,2	1-40

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 1 181 908 A (VTS HOLDINGS LTD) 27 February 2002 (2002-02-27) paragraphs [0001], [0002], [0009], [0011] claims	1-40
A	----- US 5 736 372 A (VACANTI CHARLES A ET AL) 7 April 1998 (1998-04-07) column 4, lines 23-67 claims	1-26
A	----- US 5 429 603 A (MORRIS MICHAEL) 4 July 1995 (1995-07-04) the whole document -----	27-39

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## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
**Although claims 1-26,40 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.**
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

**see additional sheet**

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**see annex**

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-40 (entirely)

Claims 1-26,40 :

An endoscopic method for treating cartilage or bone defects

Claims 27-39 :

A kit for use in a mehtod [...], the kit comprises two separate containers, the first container comprises the cells and the second container comprises the support material

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2. claim: 41 (entirely)

Use of hydroxy apatite as culturing medium for cells such as osteoblasts/osteocytes.

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3. claims: 42,43 (entirely)

Claim 42 :

Use of collagen solutions as culturing medium for the cells to be arthroscopically transplanted.

Claim 43 :

Use of collagen solutions as culturing medium for the cells to be endoscopically transplanted.

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Information on patent family members

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